

WAIVER OF SERVICE OF SUMMONS

RECEIVED
USMS, MIDDLE/PA
2003 DEC 12 PM 12: 46

TO: Richard Wojteczak
(Name of plaintiff's attorney or pro se plaintiff)

I acknowledge receipt of your request that I waive service of a summons in the action of Wojteczak VS Dept. Of Corrections, which is case number 01-1163 in the United States District Court for the Middle District of Pennsylvania. I have also received a copy of the complaint in the action, two copies of this instrument and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after 11/17/03 (date request was sent), or within 90 days after that date if the request was sent outside the United States.

12/10/03
DATE

Amanda L Smith
SIGNATURE

Printed/typed name: Amanda L. Smith
Title, if any : Deputy Attorney General

Address of Person signing: Office of Attorney General, Litigation Section
15th Floor, Strawberry Square
Harrisburg, PA 17120

Party you represent: Department of Corrections, Jeffrey Beard, Kenneth Kyler,
Patricia Yarger, Patty Everhart, Scott Walters

UNITED STATES DISTRICT COURT

MIDDLE

District of

PENNSYLVANIA

RICHARD WOJTCZAK
V.

SUMMONS IN A CIVIL CASE

PENNSYLVANIA DEPARTMENT
OF CORRECTIONS, et al

CASE NUMBER: 1:CV-01-1163

TO: (Name and address of Defendant)

SEE ATTACHED DOCUMENTS 1, 2, 8 11, and 23

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Richard Wojtczak
AF-5977
SCI Laurel Highlands
5706 Glades Pike
P.O. Box 631
Somerset, PA 15501-0631

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

MARY E. D'ANDREA

CLERK

(By) DEPUTY CLERK

November 13, 2003

DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (<i>PRINT</i>)	TITLE

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served: _____
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted: _____
- ☐ Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date

Signature of Server

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.